

registry of deceased joint inventor Izuo AOKI and translation thereof reflecting that Izuo AOKI is survived by his wife, Midori AOKI and his minor son, Keisuke AOKI.

Although applicants' counsel invokes Articles 824, 887 and 890 of the current Japanese Civil Law to declare that Mrs. Midori AOKI and Keisuke AOKI are the sole heirs of deceased joint inventor Izuo AOKI and that Mrs. Midori AOKI has the legal right to represent the minor child Keisuke AOKI, no copies of such relevant articles along with their translation have been filed. The declaration by counsel cannot be constituted as "a legal memorandum prepared and signed by an attorney at law familiar with the law of the jurisdiction involved" as required in MPEP 409.01(a).

It should also be noted that the certified copy of the original family registry of deceased joint inventor Izuo AOKI does not include an apostille affixed to it. See MPEP section 409.01(b)

CONCLUSION

The papers filed under 37 CFR 1.42 are ACCEPTED. However, further proof of authority of the legal representatives in compliance with 37 CFR 1.44 MUST be submitted before the grant of a patent.

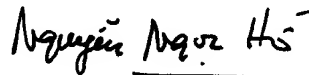
It is the responsibility of the examiner to ensure that sufficient proof of authority has been submitted in accordance with 37 CFR 1.44. If the proof of authority is ultimately found to be insufficient, the application must be returned to the PCT Legal Office.

The application is being returned to the United States Designated/Elected Office for further processing. The declaration is acceptable under 37 CFR 1.42.



Richard Cole
PCT Legal Examiner
PCT Legal Office

NNH/RC:hn



Nguyễn Ngọc-Hồ
Paralegal Specialist
PCT Legal Office

Tel: (703) 308-6508